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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/792,468	01/31/1997	CHIZU SHIMIZU	94049B	4039
23850	7590	02/12/2004	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP			HESS, DANIEL A	
1725 K STREET, NW			ART UNIT	PAPER NUMBER
SUITE 1000				
WASHINGTON, DC 20006			2876	

DATE MAILED: 02/12/2004

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21850 7590 12/09/2003

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/792,468	01/31/1997	CHIZU SHIMIZU	94049B	4039

TITLE OF INVENTION: PURCHASED COMMODITY ACCOMMODATING AND TRANSPORTING APPARATUS HAVING SELF SCANNING FUNCTION AND P SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	03/09/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
HESS, DANIEL A	2876	235-383000

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2. QUINTOS, HANSON
& BROOKS, LLP

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(Authorized Signature) *Wm L. Brooks* (Date)
William L. Brooks Reg#34,129 02/25/04

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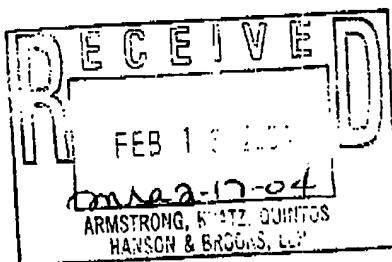
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ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006				HES3, DANIEL A
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



[Handwritten signatures and initials over a signature block]

Supplemental Notice of Allowability	Application No.	Applicant(s)
	08/792,468	SHIMIZU ET AL.
	Examiner	Art Unit
	Daniel A Hess	2876

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 1/28/2004 conversation with applicant's representative.
 2. The allowed claim(s) is/are 37-45, 48, 50 and 52.
 3. The drawings filed on 11 September 1995 are accepted by the Examiner.
 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) The translation of the foreign language provisional application has been received.
 6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**
7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 8. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.
- Identifying indicia such as the application number (see 37 CFR 1.64(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).
9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <input type="checkbox"/> Notice of References Cited (PTO-892) | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No. _____ | <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | <input type="checkbox"/> Other |

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EXAMINER'S AMENDMENT / SUPPLEMENTAL ALLOWANCE

Remarks

The office action of 12/9/2003 contained some errors in the claims portion of the examiner's amendment. The full set of claims as they should appear is below.

The examiner also indicated previously that corrected drawings would be needed. However, the office should be able to correct the drawings on its own by rescanning the images.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Applicant's representative, Mr. William Brooks, gave authorization for these corrections on 1/28/2004.

IN THE CLAIMS:

The outstanding claims should read as follows:

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Claim 37

An independently mobile shopping cart, which is movable

in a shop to collect and purchase one or more commodities, comprising:

a cart body for carrying the one or more commodities; and

a payment processor for handling a payment for the commodities with a prepaid card,

having

a commodity code reader for reading a commodity code applied to the individual commodity,

a commodity price identifying section for identifying the price of the individual commodity based on the commodity code read by said commodity code reader,

a prepaid card reader for reading information about a current remainder of prepayment from the prepaid card, and

a registering section for subtracting the price of the individual commodity identified by said commodity price identifying section from the current remainder of prepayment read by said prepaid card reader, and registering the result of the subtraction on the prepaid card as a new remainder of prepayment without any communication with an external processor or computer.

Claim 38

An independently mobile shopping cart as defined in

claim 37, wherein said payment processor further comprises:

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an indicating section for indicating, if necessary, that the current remainder read by said prepaid card reader is insufficient for the price of the individual commodity identified by said commodity price identifying section.

Claim 39 An independently mobile shopping cart as defined in claim 38, wherein said payment processor further comprises:

a first selecting section for selecting, when the current remainder is insufficient for the individual price of the commodity, either (i) to carry out the payment with another prepaid card or (ii) to cancel the payment, and controlling said prepaid card reader and said remainder registering section accordingly.

Claim 40 An independently mobile shopping cart as defined in claim 37, wherein said payment processor further comprises:

a receipt issuing section for issuing a receipt upon completion of the payment.

Claim 41 An independently mobile shopping cart as defined in claim 38, wherein said payment processor further comprises:

a receipt issuing section for issuing a receipt upon completion of the payment.

Claim 42 An independently mobile shopping cart as defined in claim 39, wherein said payment processor further comprises:

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a receipt issuing section for issuing a receipt upon completion of the payment.

Claim 43 **An independently mobile shopping cart as defined in claim 40, wherein said payment processor further comprises:**
a second selecting section for choosing whether or not to receive a receipt for the payment, and controlling said receipt issuing section accordingly.

Claim 44 **An independently mobile shopping cart as defined in claim 41, wherein said payment processor further comprises:**
a second selecting section for choosing whether or not to receive a receipt for the payment, and controlling said receipt issuing section accordingly.

Claim 45 **An independently mobile shopping cart as defined in claim 42, wherein said payment processor further comprises:**
a second selecting section for choosing whether or not to receive a receipt for the payment, and controlling said receipt issuing section accordingly.

Claim 46-47 (canceled)

Claim 48 **An independently mobile shopping cart as defined in claim 37, wherein said payment processor further comprises:**

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an instruction receiver for receiving a power on/off instruction from an external management apparatus; and
a power on/off section for automatically turning on/off the power of said payment processor in response to the power on/off instruction received by said data reception section.

Claim 49 (canceled)

Claim 50 An independently mobile shopping cart as defined in claim 37, wherein said payment processor further comprises:
a measuring section for measuring the total weight of the commodities carried by said cart body;
an observing section for observing whether a change in the total weight measured by said measuring section accompanies the reading operation of the commodity code by said commodity code reader; and
an alarm generating section for generating an alarm when said observing section observes that any change in the total weight does not accompany the reading operation of the commodity code.

Claim 51 (canceled)

Claim 52 An independently mobile shopping cart as defined in claim 48, wherein said payment processor further comprises:

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a measuring section for measuring the total weight of the commodities carried by said cart body;

an observing section for observing whether a change in the total weight measured by said measuring section accompanies the reading operation of the commodity code by said commodity code reader; and

an alarm generating section for generating an alarm when said observing section observes that any change in the total weight does not accompany the reading operation of the commodity code.

Claim 53 (canceled)

REASONS FOR ALLOWANCE

Claim 37-45, 48, 50 and 52 are allowed.

The following is an examiner's statement of reasons for allowance: In several instances in the prior art, mobile shopping carts are known. Swartz (US 5,412,193) has a cart that is fully mobile based on an RF system (column 7, lines 65-67) that can be employed in credit card verification and a rechargeable battery pack (column 4, lines 66-68). Although Swartz' system is not a cart, Collins, Jr. (US 5,149,947) teaches a cart having checkout system elements. In combination, they teach a mobile cart that can perform checkout, as has been discussed in the office action of 2/27/2003.

What Swartz fails to teach, and what the prior art fails to show or fairly suggest, is a system that can operate *without any external communications* during the checkout process. In the Swartz teaching, communication with an external source occurs in order to verify credit card

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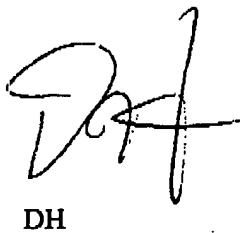
transactions. Likewise, a debit card would at least require some external communication. In a prepaid card, however, the transaction can occur independent of external communications.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel A Hess whose telephone number is (571) 272-2392. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.



DH

Daniel A Hess
Examiner
Art Unit 2876

